
THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

ELESHA SOTO,

Plaintiff,

v.

TARA KALATZES, GUS KALATZES, and
GEORGE LIODAKIS,

Defendants.

ORDER

- **ADOPTING [11] REPORT AND RECOMMENDATION;**
- **DENYING [12] MOTION FOR DEFAULT JUDGMENT; and**
- **DENYING [15] MOTION FOR WRIT OF EXECUTION**

Case No. 2:21-cv-00225-DBB-JCB

District Judge David Barlow

The Report and Recommendation¹ issued by United States Magistrate Judge Jared C. Bennett on July 7, 2021 recommends that the court dismiss Plaintiff's complaint *sua sponte* for lack of subject matter jurisdiction.² The parties were notified of their right to file objections to the Report and Recommendation within 14 days of its service pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72.³ No party filed an objection. Because no party filed a written objection to the Report and Recommendation by the specified deadline, and because the Magistrate Judge's analysis and conclusions are sound, the court ADOPTS the Report and Recommendation.⁴ Accordingly, Plaintiff's action is DISMISSED for lack of subject matter

¹ ECF No. 11, filed July 7, 2021.

² *Id.* at 1.

³ *Id.* at 2.

⁴ The court notes that the amount in controversy alleged in the Complaint is \$40,000, not the \$25,000 referenced in the Report and Recommendation. *See* ECF No. 8-1 at 11.

jurisdiction. Plaintiff's Motion for Default Judgment⁵ and Motion for Writ of Execution⁶ motions are therefore DENIED AS MOOT.

Signed August 10, 2021.

BY THE COURT

A handwritten signature in black ink, appearing to read 'David Barlow', written over a horizontal line.

David Barlow
United States District Judge

⁵ ECF No. 12, filed July 9, 2021.

⁶ ECF No. 15, filed July 12, 2021.